

Plans on 'stirring up hatred' threaten free expression, warn MSPs

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MSPs from across the political spectrum have warned that a bill on hate crime in Scotland poses a threat to freedom of expression during a [debate at Holyrood](#).

On Wednesday MSPs from the Conservatives, Labour and the Liberal Democrats strongly [criticised the bill's provisions on 'stirring up hatred'](#), reflecting concerns raised by the National Secular Society and many others.

Some backbench MSPs from the governing SNP also raised concerns about the current drafting of the bill within their contributions.

Before the debate NSS chief executive Stephen Evans was among signatories to a [letter from the Free to Disagree campaign](#), which urged MSPs to oppose the 'stirring up' offences.

But a bid to force the government to remove the bill and work to redraft hate crime legislation, led by the Scottish Conservatives, was [voted down](#).

The bill will now move forward for scrutiny from the Scottish parliament's justice committee, which recently held a consultation on it.

Contributions to the debate

Opening the debate, Conservative MSP Liam Kerr called the bill "vague in the extreme", adding: "Bad legislation is not the way to stop bad behaviour."

Meanwhile his colleague Murdo Fraser warned the bill could lead to the prosecution of those who published cartoons of the Islamic prophet Muhammad – a point he also made in [The Scotsman](#) this week.

Liberal Democrat MSP Liam McArthur said the bill needs "urgent and, in places, radical surgery" and that it risks "creating a catch-all offence with the genuine potential to catch all".

Labour's Mary Fee said negatively impacting the right to free speech "is a line that no democratic government should cross" and the relevant part of the bill appeared to "create more problems than it tries to solve".

SNP MSP Ruth Maguire said the bill could "seriously hinder important discourse about emotive subjects such as religion, race and sexual identity, halting progress and stifling free expression".

Justice secretary Humza Yousaf, who introduced the bill, said it was "important" that it was not withdrawn. But he also gave an "absolute assurance for the record" that he was "actively looking" to see where compromise could be found.

Several MSPs also spoke in support of a provision to repeal Scotland's blasphemy law, which appears elsewhere in the bill and which the NSS [supports](#).

NSS response

After the debate Mr Evans said it had "again highlighted the mounting concern over the Scottish government's plans on 'stirring up hatred'".

"A broad range of civil society groups and now MSPs with very varied political outlooks have warned that the current drafting of the relevant section of this bill risks undermining freedom of expression.

"The justice committee must now note the deluge of criticism which the 'stirring up' provisions in this bill have faced, and recommend that they are scrapped or very significantly amended to protect free speech."

Notes

- The justice committee has said its consultation on the bill had received an "[unprecedented](#)" response, with almost 2,000 written submissions.
- During the debate Labour MSP Alex Rowley noted that the NSS had [described the new provisions as "unnecessary"](#) in its submission to the consultation.
- The NSS's position on the bill, including support for provisions which would repeal Scotland's blasphemy law, is outlined in full on its [campaign page](#).
- The NSS is among supporters of the Free to Disagree campaign, which is warning that the bill poses a threat to freedom of speech.

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New hate crime laws proposed for Scotland could seriously undermine freedom of expression - including the freedom to criticise or satirise religion. Find out more and help us protect free speech.

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